

NATIONAL LEAGUE OF CITIES RESOLUTION NO. R-68-2006

**ENCOURAGING CITIES TO DETERMINE THE PUBLIC SAFETY IMPACTS
RESULTING FROM TRANSPORTATION OF HIGH LEVEL NUCLEAR WASTE**

WHEREAS, to encourage the generation of low cost electric power, the federal government, during the 1950s and 1960s, promoted development of nuclear power; and

WHEREAS, nuclear power plants used for producing electricity create long-lived and highly dangerous spent nuclear fuel as a waste product; and

WHEREAS, Congress has designated Yucca Mountain, Nevada, as the only site to be considered for storing high-level nuclear waste generated at commercial nuclear reactors and Navy ship reactors; and

WHEREAS, 90 percent of the high-level nuclear waste is located at sites east of the Mississippi River; and

WHEREAS, if the Yucca Mountain repository is licensed to accept waste, high-level nuclear waste will be shipped an average of 2,000 miles across the country through 43 states; and

WHEREAS, the Department of Energy has put forth proposed routes in the final Yucca Mountain Environmental Impact Statement leaving local governments to consider the impacts of such transportation and carry out impact analyses; and

WHEREAS, the city of Las Vegas has undertaken a study to determine the projected public safety costs to prepare for the transportation of high-level nuclear waste through the city and county to Yucca Mountain; and

WHEREAS, the projected costs for all public safety agencies in the Las Vegas valley at the start of the proposed shipping campaign total approximately \$385 million, and over the initial 24-year shipping campaign, the projected public safety impacts total approximately \$3.7 billion; and

WHEREAS, the city of Las Vegas does not stand alone on this issue since other cities will incur similar costs to prepare their public safety agencies for high-level nuclear waste shipments; and

WHEREAS, while the Nuclear Waste Policy Act (NWPA) and Nuclear Waste Policy Act Amendments (NWPAA) require the Department of Energy to provide technical and training assistance to local public safety agencies along the transportation corridor, the NWPA and NWPAA do not set funding amounts for such assistance nor do they require funding for capital infrastructure and other potentially large expenses, resulting in what could be astronomical unfunded mandates for these cities.

NOW, THEREFORE, BE IT RESOLVED, that the National League of Cities strongly encourages all cities along the proposed spent nuclear fuel shipping routes to conduct similar public safety fiscal impact studies so that their public safety agencies will be prepared to respond should an accident involving high-level nuclear waste or any other hazardous material occur.

1 highway funding. That same section will preclude advance right-of-way acquisition designed to
2 save money and to give advance notice to the private sector of the exact location of upcoming major
3 projects. Projects such as the 215 Beltway, US 95 improvements, and the Army Corps of Engineers
4 flood control plan could be implemented only on a much-delayed, piecemeal basis if such a rule
5 becomes law.

6 5. Section 8 of the Initiative constitutes a radical over-turning of long-established law and
7 will create a new realm of unlimited liability for every act of a governmental entity that might affect
8 property values. The Initiative would paralyze all zoning and land-use planning, which is the means
9 by which our neighborhoods and the property values of 99% of homeowners are protected. Other
10 essential projects such as the proposed Southern Nevada Water Authority pipeline from rural
11 Nevada to the Las Vegas Valley will be seriously jeopardized by the potential new liability created
12 by Section 8. In fact, the wording of Section 8 is so broad that, according to the District Attorney's
13 Office, state and local governments will likely become either paralyzed in all their normal activities
14 or face bankruptcy.

15 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las
16 Vegas to express its opposition to the Initiative and recommend that it be rejected.

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1 BE IT FURTHER RESOLVED to recommend the development of an alternative
2 constitutional amendment, through a deliberative legislative process, to prohibit the use of eminent
3 domain to acquire property from one private owner and transfer it to another for redevelopment
4 purposes, but without the additional provisions that carry so much potential harm to taxpayers,
5 motorists, businesses and homeowners.

6 PASSED, ADOPTED, AND APPROVED this ____ day of ____, 2006.

7 CITY OF LAS VEGAS

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9
10 BY OSCAR B. GOODMAN, Mayor

11 ATTEST:

12
13 BARBARA JO RONEMUS, City Clerk

14 APPROVED AS TO FORM

15 Val Steed 9-6-06
Date